

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 7-12 have been amended, and claims 13-16 have been added. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier. After amending the claims as set forth above, claims 1-16 are now pending in this application.

Claim Rejections under 35 U.S.C. 101:

Claims 7-12 were rejected under 35 U.S.C. 101 because the claimed invention was allegedly directed to non-statutory matter. The claims in contention were amended to address this issue. Thus, reconsideration and withdrawal of these claims are respectfully requested.

Prior Art Rejections:

Claims 1-12 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,836,843 to Seroussi et al. (hereinafter “Seroussi”). This rejection is traversed for at least the reasons given below.

One of characteristics of the present invention as claimed lies in the combination of the operation mode setting section and mode switching section. The public operation mode permits an indefinite number of users to operate and the personal operation mode permits each user to operate individually. The modes are switched based on the authentication by the user authentication section. Specifically, the independent claims recite the features of “an operation mode setting section that can selectively set, as an operation mode that sets a work environment for operation inputs, between a personal operation mode to permit each user to operate individually and a **public operation mode to permit an indefinite number of users to operate**” and “a mode switching section that, when a user is authenticated in said user authentication section, **switches said operation mode from said public operation mode into said personal operation mode** for the authenticated user.” (Independent claim 1; similar features found in independent claim 7; emphasis added)

Seroussi discloses a technique such that when a user does not access a computer for a period of time longer than a predetermined time, the computer covers the display with a "screen saver" and enters a locked mode. (column 4, lines 18-22) Seroussi also discloses that when a user does not access a computer for a period of time longer than a predetermined time, the computer is switched to log-off and changed to a ready mode. (column 9, lines 15-20) There is no teaching or suggestion in Seroussi of switching operating modes, or even of more than one type of operation mode. Seroussi only teaches locking the computer, or logging the user off and maintaining the computer in a log-in ready state, (column 6, lines 46-47) There is no indication in Seroussi that the computer is able to operate in any mode other than when a clinician is authenticated. Thus, there is no teaching or indication in Seroussi of a public operation mode to permit an indefinite number of users to operate it. There is further no teaching or suggestion in Seroussi of an operation setting mode, in which the operating mode of the computer is able to be set. From the teachings of Seroussi, the only mode in which the computer is operated is a personal mode in which clinicians authenticate themselves to the computer in order to operate the computer. Therefore, Seroussi does not disclose the above features of the present invention as claimed and is not relevant to the present invention as claimed.

Further, an object of Seroussi is to improve the security level. This is in contrast to that of the present invention as claimed, which is to provide a image processing apparatus which can permit each user to perform the processing of one's own personal information without disturbing the use of the apparatus by an indefinite number of users. Therefore, the technical concepts of both are clearly different from each other. This is another reason why there is no disclosure in Seroussi, as a matter of course, of the public operation mode or operation mode setting capabilities. Thus, if this rejection is maintained, the Office is respectfully requested to point out where the features of the invention as claimed are found in Seroussi.

Seroussi also fails to teach the features of added claims 13-16. Specifically, as mentioned above, Seroussi fails to teach the operation mode setting capabilities of the independent claims or the usage of more than one operating mode.

The dependent claims are also patentable for at least the same reasons as the independent claim on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole.

For example, claim 4 recites the additional patentable feature of “a human body detection section that detects a user located in the vicinity of said image processing apparatus, wherein when a human body has not been detected by said human body detection section for a period of time longer than a predetermined time, said mode switching section switches said operation mode from said personal operation mode into said public operation mode with the state that a current operation mode is set to said personal operation mode.” Dependent claim 10 recites an analogous feature.

Seroussi fails to teach this feature of the dependent claims. Rather, Seroussi teaches that the badge worn by the user has a sensor to detect if the badge has been detached by the user. This is in no way equivalent to a human body detection section of the image processing apparatus. Seroussi also teaches that the C computers send out a signal, to which the badge must respond to imply presence. If the badge does not respond within a certain time, the computer C logs off the clinician (column 9, lines 12-21). There is no indication or teaching, in this section or anywhere else in the disclosure of Seroussi, that the computer C detects a human body, and switches from one operation mode to another based upon that detection. Rather, the computer C emits a signal, and based upon the response (or lack thereof) logs a user off of the computer. There is a distinct difference between sensing a human presence and detecting whether a signal has been received from a badge. Thus, Seroussi fails to teach features of the dependent claims as well.

Added dependent claim 14 also recites additional patentable features, in that user authentication is not required in order to operate the image processing apparatus. There is no indication in Seroussi of an ability to operate the computer C without authentication by the clinician. Dependent claim 16 recites a similar analogous feature. Thus, Seroussi also fails to teach the features of the dependent claims of the invention.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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